

## **REMARKS / ARGUMENT**

The Applicant respectfully traverses all rejections put forth in the aforementioned Office Action. Reconsideration and further examination of the subject patent application in light of the present Amendment and Remarks / Argument is respectfully requested.

### **Amendments to Claims**

Claims 1, 10, 12, 20 and 24 are amended and claims 7 and 11 canceled herein. Claims 1, 20 and 24 are amended to include subject matter previously claimed in dependent claims 7 and 11. Claim 1 is further amended to replace the reference "and/or" as required by the Examiner. Claims 10 and 12 are amended to reflect new dependencies based on amendments and cancellation of other claims. No new matter is added by these amendments.

### **Objections under 35 U.S.C. 102**

*The Examiner has rejected claims 1, 7-9, 13, and 17-24 under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,481,851 to McNelley et al. ("McNelley").*

The Examiner has indicated that claims 10-12 contain allowable subject matter over McNelley. Applicant has amended claims 1, 20 and 24 to include the subject matter of claim 11, as well as intervening dependent claim 7. In light of these amendments, Applicant is not submitting any additional argument at this time.

In view of the foregoing, the Applicant respectfully submits that the cited McNelley reference does not anticipate all of the features of the amended claims 1, 20 and 24. It is the Applicant's further respectful submission that, with the submitted amendments, the Applicant has traversed the aforementioned §102 rejection. Reconsideration of all claims, therefore, hereby respectfully requested.

Objections under 35 U.S.C. 103

*The Examiner has rejected claims 2-6 and 14-16 under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,481,851 to McNelley et al. ("McNelley").*

The Examiner has indicated that claims 10-12 contain allowable subject matter over McNelley. Applicant has amended claims 1, 20 and 24 to include the subject matter of claim 11, as well as intervening dependent claim 7. In light of these amendments, Applicant is not submitting any additional argument at this time.

In view of the foregoing, the Applicant respectfully submits that the cited McNelley reference does not render obvious all of the features of the amended claims 1, 20 and 24. It is the Applicant's further respectful submission that, with the submitted amendments, the Applicant has traversed the aforementioned §103 rejection. Reconsideration of all claims, therefore, hereby respectfully requested.

Summary

For the foregoing reasons, the Applicant respectfully submits that the subject application is in condition for allowance and earnestly and respectfully solicits an early Notice of Allowance. Should the Examiner be of the opinion that a telephone conference would expedite prosecution of the subject application, the Examiner is respectfully requested to call the undersigned at the below-listed number.

The Commissioner is hereby authorized to charge any additional fee which may be required for this application under 37 C.F.R. §§ 1.16-1.18, including but not limited to the issue fee, or credit any overpayment, to Deposit Account No. 50-4035. Should no proper amount be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal, or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No.50-4035.

Respectfully submitted,

LANG MICHENER LLP

By



Orin Del Vecchio  
Registration No. 57,777

December 20, 2007

Lang Michener LLP  
Brookfield Place, P.O. Box 747  
Suite 2500, 181 Bay Street  
Toronto, ON, Canada M5J 2T7  
Telephone: (416) 360-8600  
Facsimile: (416) 365-1719